

03500.017112



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KAZUHIKO FUKUTANI ET AL.

Application No.: 10/653,978

Filed: September 4, 2003

For: POROUS MATERIAL AND  
PRODUCTION PROCESS  
THEREOF

)  
:  
Examiner: L.X. Xu

)  
:  
Group Art Unit: 1775

)  
:  
August 15, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SECOND INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449. Since the U.S. Patent and Trademark Office waived the requirement under 37 C.F.R. § 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications and for all international applications that have entered the national stage under 35 U.S.C. § 371, no copies of such documents are enclosed. Copies of the other listed documents are, however, enclosed.

This Information Disclosure Statement is, in part, to make of record co-pending Application No. 10/656,242 and the documents cited therein, which documents have not yet been disclosed in the subject application. The Examiner's attention is also directed to Office Actions issued in that case, copies of which are enclosed.

08/17/2005 CNGUYEN2 00000075 10653978

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The concise explanation of relevance for the non-English documents may be found, inter alia, in the English language abstracts attached thereto and/or in the specification of co-pending Application No. 10/656,242 where they are cited. In addition, the concise explanation of relevance for JP 2001-273622 may be found in U.S. Patent Application Publication No. 2001/036563 A1, which is in the same patent family. Furthermore, the concise explanation of JP 9-157062 and JP 2001-261376 may be found in the attached English language translations, which were generated by a computer at the Japanese Patent Office web site. Lastly, Applicants note that WO 03/078685 A1 is a publication of an international application from which co-pending Application No. 10/656,242 claims priority under 35 U.S.C. § 120.

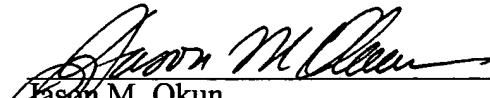
#### CONCLUSION

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

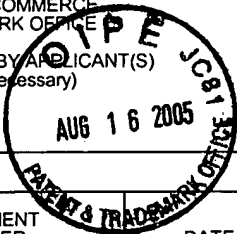
We also enclose a check for the required fee of \$180.00 to cover the Information Disclosure Statement under 37 C.F.R. § 1.97(c)(2).

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
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FORM PTO 1449 (modified)  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)				ATTY DOCKET NO. <b>03500.017112</b>		APPLICATION NO. <b>10/653,978</b>	
				APPLICANT <b>Kazuhiko Fukutani et al.</b>			
				FILING DATE <b>September 4, 2003</b>		GROUP <b>1775</b>	
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6,610,463 B1	08/26/03	Ohkura et al.	430	322	08/29/00
		2004/0001964 A1	01/01/04	Ohkura et al.	428	596	08/29/00
		2001/0036563 A1	11/01/01	Watanabe et al.	428	694T	
		2002/0031008 A1	03/14/02	Den et al.	365	173	
		2002/0086185 A1	07/04/02	Yasui et al.	428	694TS	
		2004/0048092 A1	03/11/04	Yasui et al.	428	642	
		6,602,620 B1	08/05/03	Kikitsu et al.	428	694T	
		2005/0053773 A1	03/10/05	Fukutani et al.	428	209	08/06/04
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT
	JP	2001-273622	10/05/01	Japan			Abstract
	JP	52-78403	07/01/77	Japan			No
	JP	62-270473	11/24/87	Japan			No
	JP	63-220411	09/13/88	Japan			No
	JP	7-73429	03/17/95	Japan			Abstract
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
		M. Jacobs et al., "Unbalanced Magnetron Sputtered Si-Al Coatings: Plasma Conditions and Film Properties Versus Sample Bias Voltage," 116-119 <u>Surface and Coatings Technology</u> 735-41 (1999).					
		C.D. Adams et al., "Phase Separation During Co-Deposition of Al-Ge Thin Films," 7(3) <u>J. Mater. Res.</u> 653-67 (March 1992).					
		C.D. Adams et al., "Transition from Lateral to Transverse Phase Separation During Film Co-deposition," 59(20) <u>Appl. Phys. Lett.</u> 2535-37 (November 1991).					
		M. Atzmon et al., "Phase Separation During Film Growth," 42(2) <u>J. Appl. Phys.</u> 442-46 (July 1992).					
EXAMINER				DATE CONSIDERED			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 1 of 2

